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Patentitioner's Docket No. 2550/185

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bruce K. Wachtmann

Application No.: 10/670,673

Filed: 09/25/2003

For: Method of Forming a Surface Micromachined MEMS Device

Group No.: 2814

Examiner: Pizarro Crespo, Marcos D.

**RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP
2814**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Signature

John L. Conway

Date: May 25, 2006

(type or print name of person certifying)

** Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	OTHER THAN SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE		ADDIT. FEE
TOTAL	18	MINUS	20	= 0	x	\$ 50.00	= \$	0.00
INDEP	3	MINUS	3	= 0	x	\$ 200.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+	\$ 0.00	= \$	0.00
TOTAL								\$ 0.00
ADDIT. FEE								

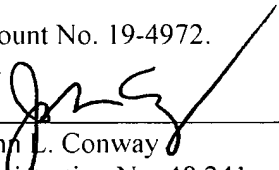
No additional fee for claims is required.

FEE DEFICIENCY

5. If any extension and/or fee is required, charge Account No. 19-4972.

If any fee for claims is required, charge Account No. 19-4972.

Date: May 25, 2006



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02550/00185 499578.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wachtmann

Atty. Docket: 2550/185

Serial No.: 10/670,673

Art Unit: 2814

Filing Date: September 25, 2003

Invention: METHOD OF FORMING A SURFACE MICROMACHINED MEMS DEVICE

Examiner: Pizarro Crespo, Marcos D

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 25, 2006.



John L. Conway

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE E

Dear Sir:

In response to the Office Action mailed on April 24, 2006 and made final,
Applicant responds as follows: